

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES CARPENTER,

Plaintiff,

v.

BENNY MOLINA, et al.,

Defendants.

No. 1:21-cv-00344-NONE-EPG (PC)

CORRECTED¹ ORDER ADOPTING
FINDINGS AND RECOMMENDATIONS IN
PART

(Doc. Nos. 8, 9)

Plaintiff Charles Carpenter is a state inmate proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 2, 2021, the assigned magistrate judge entered findings and recommendations recommending that this action be dismissed with prejudice for failure to state a claim, failure to prosecute, and failure to comply with a court order. (Doc No. 8.) Plaintiff was provided an opportunity to file objections to the findings and recommendations within thirty (30) days. (*Id.* at 7-8.) Plaintiff has not filed any objections and the time to do so passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B), this court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings

¹ This order amends and supersedes the order adopting in part issued August 2, 2021 (Doc. No. 9), which contained a typographical error.

1 and recommendations to be supported by the record and by proper analysis insofar as they
2 recommend dismissal for failure to comply with a court order and failure to prosecute. The court
3 declines to address any other grounds for dismissal.

4 Accordingly,

- 5 1. The findings and recommendations entered June 2, 2021 (Doc. No. 8) are adopted in
6 part;
- 7 2. This case is dismissed for failure to prosecute and failure to obey a court order; and
- 8 3. The Clerk of Court is directed to assign a district judge for the purpose of closing the
9 case and then to close this case.

10 IT IS SO ORDERED.

11 Dated: August 3, 2021

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14 UNITED STATES DISTRICT JUDGE
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